

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

KAREN JACKSON,)	
)	
Plaintiff,)	
)	8:15CV290
v.)	
CATHOLIC CHARITIES OF THE ARCHDIOCESE OF OMAHA, INC.,)	ORDER
)	
Defendant.)	

This matter comes before the court on Plaintiff’s Motion for Change of Trial Venue ([Filing No. 38](#)). Plaintiff believes she will not receive an impartial jury or a fair trial in Omaha because of Omaha’s large Catholic population.

A district court may transfer a civil action to another district or division “[f]or the convenience of parties and witnesses, [or] in the interest of justice[.]” 28 U.S.C.A. § 1404. This district’s local rules provide that when deciding the place of trial, “a judge considers the convenience of the litigants, witnesses, and attorneys.” NECivR [40.1\(b\)\(1\)](#). The party seeking to change the place of trial within this district bears the burden of establishing that the transfer should be granted. See NECivR [40.1\(b\)](#). Plaintiff has not met her burden. Plaintiff’s bare allegation that Omaha’s large Catholic population will prevent her from receiving an impartial jury or fair trial is insufficient to establish that a transfer should be granted. Plaintiff’s concerns regarding potential jury bias can be addressed through appropriate voir dire. Having considered the convenience of the litigants, witnesses and counsel, the court finds that the place of trial should remain in Omaha. Accordingly,

IT IS ORDERED: Plaintiff’s Motion for Change of Trial Venue ([Filing No. 38](#)) is denied.

DATED: November 22, 2016.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**